

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 11, 1999

DIVISION ONE

B113310 BKK Corporation v. Triangle Disposal
B117119 BKK Corporation v. Adame

Order consolidating appeals filed.

DIVISION TWO

B116536 Ross
 v.
 Rahe

Filed order modifying opinion. Petition for rehearing is denied. Request for publication is denied.(No change in the judgment)

118975 People (Not for Publication)
 v.
 Durham

The Court:

The judgment is affirmed.

Boren, P.J., Zebrowski, J., Mallano, J. (Assigned)

DIVISION TWO (Continued)

B119052 People (Not for Publication)
v.
Augustus

The judgment is modified to impose an additional \$500.00 fine pursuant to section 1202.45. The abstract of judgment must reflect this assessment, as well as the original \$500.00 restitution fine imposed under section 1202.4, subdivision (b). The clerk of the superior court is ordered upon issuance of the remittitur to prepare a corrected abstract of judgment as set forth in this opinion and forward it to the Department of Corrections. (See *Hong*, *supra*, 64 Cal.App.4th at p.1084.) In all other respects, the judgment is affirmed.

Zebrowski, J.

We concur: Boren, P.J.
 Nott, J.

DIVISION THREE

B107886 People (Not for Publication)
v.
Wheaton, et al.

The judgments are affirmed.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

B112325 People (Certified for Publication)
v.
Miranda

The order under review is reversed.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

DIVISION THREE (Continued)

B101582	Film House International Film Distributors, Inc. et al. v. Trans Atlantic Distributors, et al. William Shields, et al.	(Not for Publication)
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The order is reversed. The matter is remanded to the trial court with directions to vacate its order granting Trans Atlantic's motion to disqualify Hittelman and to enter a new order denying the motion. Shields shall recover his costs on appeal.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

B121107 Sally S. Mooney (Not for Publication)
v.
Steeve Kay, et al.

The judgment is reversed. Plaintiff shall recover her costs on appeal.

Croskey, Acting P.J.

We concur: Kitching, J.
 Petersen, J. (Assigned)

B119078 Laura Karasik (Not for Publication)
v.
20th Century Insurance Company

The order denying 20th Century's motion is affirmed. Plaintiff's request for sanctions is denied. Plaintiff shall recover her costs on appeal.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION FOUR

B116060 Pacific Scientific Company (Not for Publication)
 v.
 Industrial Risk Insurers

The judgment is affirmed. IRI's cross-appeal is dismissed. Costs on appeal are awarded to IRI.

Vogel (C.S.), P.J.

We concur: Epstein, J.
 Hastings, J.

DIVISION FIVE

Court convened at 9:00 A.M.

Present: Turner, P.J., Grignon, J., Armstrong, J., and J. Belcher, Deputy Clerk.

Each of the following:

B122079 People v. Donald Hightower
B120945 People v. Cleophus Bealey

Argument waived, cause submitted.

B119103 People
 v.
 Isidro Huerta Sigala

Merits:
Argued by John Doyle for appellant. Respondent waived argument. Cause submitted.

B118847 People
 v.
 Francisco Castelloon

Merits:
Argued by Jerome Wallingford for appellant and by Martin L. Pitha, deputy attorney general, for respondent. Cause submitted.

DIVISION FIVE (Continued)

B117433 Vadim Gevel
 v.
 Boris S. Chacham et al

Merits:

Appellant waived oral argument. No appearance for respondent. Cause submitted.

The court recessed at 9:30 a.m.

The court reconvened at 10:00 a.m.

Present: Turner, P.J., Grignon, J., Armstrong, J., and J. Belcher, Deputy Clerk.

Each of the following:

B121815 People v. James Johnson
B121375 People v. Francis Quintanilla

Argument waived, cause submitted.

B120453 John Sanabria
 v.
 Robert J. Embrey

Merits:

Argued by Michael Montgomery for appellant and by Patrick H. Aspell for respondents. Cause submitted.

B120546 Steve Lautsbaugh
 v.
 Carol Lautsbaugh

Merits:

Argued by Jan Mark Dudman for appellant and by Marc Mizner for respondent. Cause submitted.

DIVISION FIVE (Continued)

B119991 Steven Rosenberg
v.
Allstate Indemnity Company et al.

Merits:
Argued by Wade Hansard for appellants and by Edward J. Roberts for respondent. Cause submitted.

B120030 Reliance National Indemnity Co.
v.
General Star Indemnity Company et al.

Merits:
Argued by David J. Garthe for appellant and by Alan H. Barbanel for respondent. Cause submitted.

B093126 Jordache Enterprises, Inc. et al.
v.
Brobeck, Phleger & Harrison et al.

Merits:
Argued by John A. Conkle for appellants and by John W. Keker for respondents. Cause submitted.

The court recessed at 11:40 a.m.

The court reconvened at 11:45 a.m.

Present: Turner, P.J., Armstrong, J., Godoy Perez and J. Belcher, Deputy Clerk.

Each of the following:

B122551 People v. Charles Williams
B123928 People v. Marcus Draper
B120565 People v. Juan Gonzalez
B124561 DCFS v M., Tammy and W., Shawn
B127524 Boyd v SCLA

Argument waived, cause submitted.

DIVISION FIVE (Continued)

B120146 The People
 v.
 Ronald E. Turner

Merits:

Argued by Kyle Marie Wesendorf for appellant and by David A. Voet, deputy attorney general, for respondent. Cause submitted.

B124823 The People
 v.
 Charles Fuller

Merits:

Argued by Otis L. Hubbard, deputy attorney general, for appellant and by Alex Ricciardulli, deputy public defender, for respondent. Cause submitted.

The court recessed at 12:25 p.m.

The Court reconvened at 1:00 p.m.

Present: Turner, P.J., Grignon, J., Godoy Perez, J., and J. Belcher, Deputy Clerk.

B119285 New Choomchon News et al.
 v.
 Setthakic Pimhim

Merits:

Argued by James T. Stroud for appellant and by Claire D. Johnson for respondents. Cause submitted.

B108502 Stanley G. Auerbach
 v.
 Board of Supervisors

Merits:

Argued by Richard I. Fine for appellant and by Lawrence Hafetz, deputy county counsel, for respondent. Cause submitted.

DIVISION FIVE (Continued)

B119186 La Fe, et al.
 v.
 Los Angeles County et al.

Merits:

Argued by Robert S. Rein for appellants and by Jamee Jordan Patterson, deputy attorney general, and Thomas J. Faughan, deputy county counsel, for respondents. Cause submitted.

B120880 Ramon Rodriguez et al.
 v.
 American Drug Stores et al.

Merits:

Argued by Randel L. Ledesma for appellants and by Gregory M. Burke for respondents. Cause submitted.

Court adjourned at 2:45 p.m.

B113708 Paul Bashkin
 v.
 Lewis Koss et al.

Filed order denying petition for rehearing.

B120387 Metro-Goldwyn-Mayer, Inc.
 v.
 The Walt Disney Company

Filed order denying petition for rehearing.

DIVISION SIX

Court convened at 9:00 A.M.

Present: Gilbert, Acting P.J., Yegan, J., Coffee, J., Burke, J. (Assigned), and G. Bents, Deputy Clerk.

DIVISION SIX (Continued)

Each of the following:

B124479 Child Protective Services v. Donna S.

B124942 Child Protective Services v. Seth C.

Argument waived, cause submitted.

B124466 Pasori
v.
Pasori

Merits:

Argued by Diane Matsinger for appellant and by Robert Angle for respondent. Cause submitted.

B123290 Santa Barbara Bank & Trust
v.
Treen

Merits:

Argued by Martin P. Cohn for appellant and by Peter A. Umoff for respondent. Cause submitted.

B123795 Medeiros
v.
James

Merits:

Argued by Andrew Wolf for appellant and by Nam Yon Kim, Deputy Attorney General, for respondent. Cause submitted.

B125708 Marriage
of
Fehnel

Merits:

Argued by Gabriele Mezger-Lashly for appellant and by Andrew Wolf for respondent. Cause submitted.

DIVISION SIX (Continued)

Coffee, J. leaves the bench.

B113750 Granberry
 v.
 Islay Investments

Merits:

Argued by David H. Schwartz for appellants and by Diane M. Matsinger
for respondents. Cause submitted.

Court recessed at 10:20 A.M.

Court reconvened at 1:30 P.M.

Present: Gilbert, Acting P.J., Yegan, J., Coffee, J., Burke, J. (Assigned), and G. Bents,
Deputy Clerk.

Each of the following:

B113404 People v. Snowden
B113677 People v. Dabney
B118196 People v. Henderson
B119042 People v. Cole
B120728 People v. Jamie L.
B122194 People v. Simental
B122744 People v. Gonzales
B122769 People v. Harness
B123183 People v. Palismo
B124769 People v. Garcia
B124774 People v. Doctolero
B124799 People v. Dunklin

Argument waived, cause submitted.

DIVISION SIX (Continued)

B124773 People
 v.
 Gomez

Appearances:

Sylvia W. Beckham for appellant and Michael C. Keller, Deputy Attorney General, for respondent via video conference. Argument waived, cause submitted.

B116104 People
 v.
 Cardenas

Merits:

Argued via video conference by James R. McGrath for appellant and by Analee J. Nations, Deputy Attorney General, for respondent. Cause submitted.

B118775 People
 v.
 Lopez-Batres

Merits:

Argued by Michael B. Dashjian for appellant and by Steven Mercer, Deputy Attorney General, for respondent via video conference. Cause submitted.

B121001 People
 v.
 Pannizon

Merits:

Argued by Michael B. Dashjian for appellant and by Peggie J. Bradford, Deputy Attorney General, for respondent via video conference. Cause submitted.

DIVISION SIX (Continued)

B121792 People
 v.
 Poi Poi

Merits:

Argued by Matthew P. Guasco for appellant and by Robert C. Schneider, Deputy Attorney General, for respondent via video conference. Cause submitted.

B119947 People
 v.
 Sluiter

Merits:

Argued by Janet V. Mitchell for appellant and by Margaret E. Maxwell, Deputy Attorney General, for respondent via video conference. Cause submitted.

B123090 People
 v.
 Pecci

Merits:

Argued by Sylvia W. Beckham for appellant and by Stephanie A. Miyoshi, Deputy Attorney General, for respondent via video conference. Cause submitted.

Court recessed at 2:45 P.M.

Court reconvened at 2:55 P.M.

Present: Gilbert, Acting P.J., Yegan, J., Coffee, J., Burke, J. (Assigned), and G. Bents, Deputy Clerk.

DIVISION SIX (Continued)

B119038 People
 v.
 Lagomarsino

Merits:
Argued by Dan Mrotek for appellant and by Frederick Grab, Deputy Attorney General, for respondent via video conference. Cause submitted.

Coffee, J. leaves the bench.

B111816 People
 v.
 Martinez, et al.

Merits:
Argued by Randy P. Baker for appellant and by Beverly Falk, Deputy Attorney General, for respondent via video conference. Argument previously waived by appellants Martinez, Granillo and Marroquin. Cause submitted.

Court recessed at 3:50 P.M.

Court reconvened at 4:05 P.M.

Present: Gilbert, Acting P.J., Coffee, J., Burke, J. (Assigned), and G. Bents, Deputy Clerk.

B123804 People
 v.
 Jorge O.

Merits:
Argued by Wayne C. Tobin for appellant and by Mitchell Keiter, Deputy Attorney General, for respondent. Cause submitted.

Court adjourned at 4:25 P.M.

March 11, 1999-Continued

DIVISION SEVEN

B15370 People
 v.
 Dozier

Filed order denying petition for rehearing. Woods, J. would grant.